

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA①
12/20/00
CJMn-41886
(Inmate Number)

1: CV 00-2170

Nolan Burlark
(Name of Plaintiff)

(Case Number)

LCP. 277 W. Third St.
(Address of Plaintiff)

Williamsport PA. 17701

COMPLAINT

vs.

FILED
SCRANTON

DEC 13 2000

PER KW
DEPUTY CLERKLycorning Co. Prison;
Warden Desmond
Kim Poorman - Prison Nurse
(Names of Defendants)TO BE FILED UNDER: X 42 U.S.C. § 1983 - STATE OFFICIALS 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. Previous Lawsuits

- A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

II. Exhaustion of Administrative Remedies

- A. Is there a grievance procedure available at your institution?

X Yes No

- B. Have you filed a grievance concerning the facts relating to this complaint?

 Yes X No

If your answer is no, explain why not Prison doesn't offer
grievance forms.

- C. Is the grievance process completed? Yes X No

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

- A. Defendant Desmond is employed
as Warden at Lycamming Co. Prison
- B. Additional defendants Kim Poorman - Prison Nurse
- _____
- _____
- _____

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

1. Plaintiff initiated a conversation with the
Prison Nurse, Kim Poorman. Informing her
that he would like a vegetarian meal.
2. Deputy Warden and Warden are supposed
to make vegetarian meals available, However,
Nolan Burlock made it obviously clear several
times that he would like to receive vegetarian
meals.
3. After several weeks of not doing so, he
approached Kim Poorman on a calm manner,
wondering why he hadn't received them,
he continued his conversation with Defendant.

④ After being told to return to his block, by Ralph Embick, a corporal at the Prison. Mr. Nolan Burlark wasn't satisfied. So as return he did as ordered.

⑤ Still unaware of what was to happen of this matter, Burlark was told by Co. Embick to pack his stuff he was moving back up-stairs. All of this has accured on the 28th day of October, 2000, between 8:00 am and 8:15 am.

⑥ In, Maydak vs. Lewisburg Federal Prison, May 15th 2000. The honorable judge dismissed the case after The Prison agreed to Serve (a) vegetarian meals.

⑦ If and because Warden Desmond of the Lycoming County Prison, Williamsport, PA. 17701 of 277 West Third St. cannot settle this complaint I have decided to sue the Lycoming Co. Prison on charges and allegations of; Discrimination, Racially Discrimination due to the fact that the "white" inmates recieve these meals.

Plaintiff
 ⑧ ~~Defendant~~ is denied adequate diets, he only recieves a total of 200 calories a day. which is way ~~below~~ ~~below~~ the standards of the FDA (Food and Drug Administration). Plaintiff is allergic to beef

and the medical staff knows this. So they knew or should have known the ~~de~~ plaintiff was going to be required to receive vegetarian diets.

⑧ So based on the allegations below, plaintiff is in ~~sear~~ search of, \$500,000 dollars for mental damages and deprived of practicing a religion. Also he is under medication which eats away at his liver and isn't receiving enough food to balance, ~~these~~ these delemas out. Medications are set forth by Dr. Keen of the Prison, who takes orders from the prison nurses and files them as that.

I declare under forgoing statements are true and correct to the best of my knowledge, and any misstatements, are subject to perjury.

X yalan Zilark

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. ~~Use~~ cases or statutes.)

1. I would like the court to come with an order for vegetarian meals to be served to all inmates, no matter of color, sex or religion upon request.
2. I would like a settlement of \$500,000 dollars for the mental damages and deprivation of religion or belief. All for the fact of Discrimination, and Racial Discrimination.

3.

Signed this 31st day of October, 2000.

Jalan Brunk
(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

31 Oct. 00
(Date)

Jalan Brunk
(Signature of Plaintiff)

**FORMS TO BE COMPLETED BY PRISONERS FILING A CIVIL RIGHTS
COMPLAINT UNDER 42 U.S.C. § 1983 or 28 U.S.C. § 1331**

COVER SHEET

THIS COVER SHEET CONTAINS IMPORTANT INFORMATION ABOUT FILING A COMPLAINT AND YOUR OBLIGATIONS IF YOU DO FILE A COMPLAINT. READ AND COMPLETE THE COVER SHEET BEFORE YOU PROCEED FURTHER.

The cost for filing a civil rights complaint is \$150.00.

If you do not have sufficient funds to pay the full filing fee of \$150.00 you need permission to proceed *in forma pauperis*. However, the court will assess and, when funds exist, immediately collect an initial partial filing fee of 20 percent of the greater of:

- 1) the average monthly deposits to your prison account for the past six months; or
- 2) the average monthly balance in your prison account for the past six months.

Thereafter, the institution in which you are incarcerated will be required to make monthly payments of 20% of the preceding month's deposits credited to your account until the entire filing fee is paid.

CAUTION: YOUR OBLIGATION TO PAY THE FULL FILING FEE WILL CONTINUE REGARDLESS OF THE OUTCOME OF YOUR CASE, EVEN IF YOUR COMPLAINT IS DISMISSED BEFORE THE DEFENDANTS ARE SERVED.

1. You shall file a complaint by completing and signing the attached complaint form and mailing it to the Clerk of Court along with the full filing fee of \$150.00. (In the event attachments are needed to complete the allegations in the complaint, no more than three (3) pages of attachments will be allowed.) If you submit the full filing fee along with the complaint, you DO NOT have to complete the rest of the forms in this packet. Check here if you are submitting the filing fee with the complaint form. _____

2. If you cannot afford to pay the fee, you may file a complaint under 28 U.S.C. § 1915 without paying the full filing fee at this time by completing the following: (1) Complaint Form; (2) Application To Proceed In Forma Pauperis; and (3) Authorization Form. You must properly complete, sign and submit all three standard forms or your complaint may be returned to you by the Clerk of Court. Check here if you are filing your complaint under 28 U.S.C. § 1915 without full prepayment of fees. ☒ ~~XX~~

Please Note: If your case is allowed to proceed and you are awarded compensatory damages against a correctional facility or an official or agent of a correctional facility, the damage award will first be used to satisfy any outstanding restitution orders pending. Before payment of any compensatory damages, reasonable attempts will be made to notify the victims of the crime for which you were convicted concerning payment of such damages. The restitution orders must be fully paid before any part of the award goes to you.

DO NOT DETACH THE COVER SHEET FROM THE REST OF THE FORMS